

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL J. RODRIGUEZ,

Plaintiff,

-v-

9:14-CV-418
(DNH/DEP)

DAVID FAVRO, MAJOR SMITH, and
CLINTON COUNTY,

Defendants.

APPEARANCES:

OF COUNSEL:

MICHAEL J. RODRIGUEZ
Plaintiff pro se
14-A-3203
Southport Correctional Facility
P.O. Box 2000
Pine City, NY 14871

Lemire, Johnson Law Firm
Attorneys for Defendants
P.O. Box 2485
2534 Route 9
Malta, NY 12020

Gregg T. Johnson, Esq.
Bradley J. Stevens, Esq.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Lee Scott brought this civil rights action pursuant to 42 U.S.C. § 1983. On March 9, 2016, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment be

granted, and the complaint be dismissed in its entirety. See ECF No. 34. Plaintiff timely filed objections. See ECF No. 37.

Based upon a de novo review of the Report-Recommendation, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

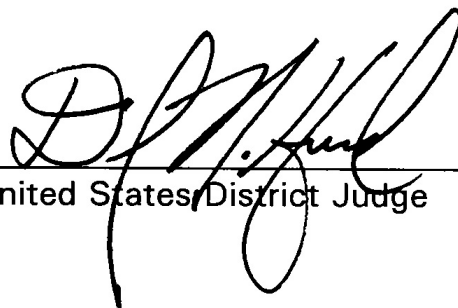
Therefore, it is ORDERED that:

1. Defendant's motion for summary judgment is **GRANTED**, and the complaint is **DISMISSED**; and

2. The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

The Clerk of the Court shall enter judgment and close this case.

IT IS SO ORDERED.


United States District Judge

Dated: March 30, 2016
Utica, New York